

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PENNIE COTTRELL, individually,

Plaintiff,

v.

NATIONAL RAILROAD PASSENGER  
CORPORATION d/b/a AMTRAK,

Defendant.

Case No. 2:18-cv-00072-BHS

**STIPULATION AND ORDER TO  
CONSOLIDATE CASES FOR ALL  
PURPOSES**

JACOB BURKE and BELINDA  
COTTRELL-BURKE, individually and as  
Joint Guardians to T.B. and R.B., their minor  
children; and TAYTEM BURKE,

Plaintiffs,

v.

NATIONAL RAILROAD PASSENGER  
CORPORATION, d/b/a AMTRAK,

Defendant.

Case No. 3:18-cv-05594-BHS

The undersigned parties hereby stipulate as follows and move this Court for an order pursuant to FRCP 42(a) consolidating for all purposes the two above-captioned cases brought by Plaintiff Pennie Cottrell and Plaintiffs Jacob Burke and Belinda Cottrell-Burke. Plaintiffs are all members of the same extended family. The Plaintiffs have each brought these actions against the same Defendant, National Railroad Passenger Corporation (“Amtrak”). The Parties submit that the requirements of FRCP 42 and Western District of Washington Local Rule 42 are satisfied

STIPULATED MOTION TO CONSOLIDATE CASES  
CASE NO. 2:18-CV-00072-BHS  
CASE NO. 3:18-CV-05594-BHS - 1

019188.0389/7669936.1

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1 here because the two actions involve common questions of law or fact, and consolidation will  
2 allow the two cases to be handled more efficiently and with less of a burden on the resources of  
3 this Court.

4 In light of the foregoing, it is hereby stipulated and agreed, by and between the Parties  
5 through their undersigned counsel of record, that the two above-captioned cases should be  
6 consolidated for all purposes, up to and including trial. The parties wish to vacate the current trial  
7 date of October 8, 2019 scheduled in *Cottrell v. NRPC*, Case No. 2:18-cv-00072-BHS, and  
8 consolidate the two cases onto the trial date of December 1, 2020, currently scheduled in *Burke*  
9 *v. NRPC*, Case No. 3:18-cv-05594-BHS, with pretrial dates adjusted accordingly.

10  
11 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

12 DATED this 23rd day of May, 2019.

13 THE LUVERA LAW FIRM

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*Attorneys for Plaintiffs Cottrell,  
Burke, and Cottrell-Burke*

**ORDER**

THIS MATTER having come before the Court upon the stipulation of the Parties and the Court having considered the stipulated motion and the records and files of the case, the Court does hereby find good cause to order that the two above-captioned matters will be consolidated for all purposes before the Honorable Benjamin H. Settle, with a trial date of December 1, 2020, and pretrial dates to be adjusted accordingly.

DATED this 29th day of May, 2019.



BENJAMIN H. SETTLE  
United States District Judge

Presented by:

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CASE NO. 3:18-CV-05594-BHS - 3

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